



STAFF REPORT ACTION REQUIRED

Zoning Amendments to Regulate Reverse Slope Driveways in the North York Community Council District Boundary

Date:	December 16, 2008
To:	North York Community Council
From:	Chief Planner and Executive Director, City Planning
Wards:	8, 9, 10, 15, 16, 23, 24, 25, 26, 33, 34
Reference Number:	ny080076

SUMMARY

The flooding of basements in grade-related houses has been a growing problem. A contributing factor to some basement flooding is when driveways lead downward into garages located in the lower level of houses, which is currently permitted in the zoning bylaws applying to the North York Community Council jurisdictional area. This report recommends amending the zoning bylaws that apply to the North York Community Council district boundary in order to restrict the as-of-right permission to develop reverse slope driveways.

RECOMMENDATIONS

The Chief Planner and Executive Director of the City Planning Division recommend that Council:

1. enact the Zoning By-law Amendments for regulating reverse slope driveways in the zoning by-laws of the former cities of Toronto, North York, York, East York (Township and Leaside bylaws) as they may apply to the district boundary of the North York Community Council substantially in accordance with the draft zoning by-laws identified as Attachment No. 1, 2, 3, 4 and 5.
2. authorize the City Solicitor to make such stylistic and technical changes to the draft zoning by-law amendment as may be required.

Financial Impact

The recommendations of this report will have **no** financial impact beyond what has already been approved in the current year's budget.

DECISION HISTORY

In a separate action, on September 9, 2008, North York Community Council considered a Member Motion on "Local Measures to Reduce Basement Flooding in the North York Community Council Area".

<http://www.toronto.ca/legdocs/mmis/2008/ny/bgrd/backgroundfile-15555.pdf>

At its meeting of September 24 and 25, 2008, City Council considered the North York Community Council report (NY18.53) and adopted the following, as amended:

1. City Council direct the Chief Planner and Executive Director, City Planning Division, to report to the North York Community Council for its meeting on November 18, 2008, on possible amendments to the bylaws in the North District that will eliminate all, as-of-right, reverse sloped driveways in the North District.
2. City Council direct that this item be scheduled as a public hearing.

Also at the meeting of September 24 and 25, 2008, City Council considered a report from Toronto Water, dated August 18, 2008, "Update on the Engineering Review Addressing Basement Flooding" (EX23.16).

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-15074.pdf>

Among the several decisions coming from this, City Council directed City Planning to deal with zoning regulations in the new city-wide zoning bylaw that prohibit new reverse slope driveways, inform the Committee of Adjustment as to their impact, and:

"... in the interim, ... report to the November 13, 2008 meeting of the Planning and Growth Management Committee on possible other joint measures of the Toronto Water

and Planning Divisions to give equivalent effect to this recommendation in the period prior to consideration of the new Zoning By-law.”

At its meeting held on November 18, 2008, North York Community Council adopted the following:

“The Chief Planner and Executive Director, City Planning, to report to North York Community Council for its meeting of January 13, 2009, on possible amendments to the by-laws in the North District that will eliminate all, as-of-right, reverse sloped driveways in the North District, as previously directed by City Council at its meeting of September 24 and 25, 2008.” and,

“A statutory public meeting be held on this matter at the North York Community Council meeting of January 13, 2009, as previously directed by City Council at its meeting of September 24 and 25, 2008.” and,

ISSUE BACKGROUND

At its meeting held on September 24 and 25, 2008, City Council had before it a report from the General Manager, Toronto Water entitled “Update on the Engineering Review of Addressing Basement Flooding”. The report discussed the issues and challenges facing the City with respect to the elimination of basement flooding. The report also described the contribution reverse slope driveways provide to this on-going concern. The report recommended, among other measures, amendments to the zoning bylaws to restrict the construction of reverse slope driveways that may exacerbate the problem.

COMMENTS

Reverse Slope Driveways Restrictions

During extreme storm events, when the stormwater runoff flows exceed the design capacity of the storm sewer system, the system becomes overloaded and the storm sewers surcharge (ie. the flows back up and pressurize the storm sewer system) and can become another major source of basement flooding. Surface flooding is another source of basement flooding. Surface flooding on streets is mainly the result of poor street grading. Current design standards for storm drainage, which were developed in the mid 1970s, include a design for the storm sewer system to intercept and convey the stormwater runoff from a one in 2 year to a one in 5 year return storm event. For larger storms, stormwater that can't be intercepted by the storm sewer remains on the road surface and flows along the streets, typically to a low point where it outlets via an overland flow route to the nearest watercourse. However, in many of the older areas of the City developed prior to 1970, many of the streets do not provide a continuous flow route, are very flat or have low points with no place for the water to outlet. Significant ponding can occur on the street, particularly during heavy rain conditions, overtopping the curb and flowing onto private property. This is particularly problematic in areas where the lots are poorly

graded (in many cases toward the house) or where homes have reverse sloped driveways, stormwater is conveyed directly to the house.

Reverse slope driveways are a significant source of water flow and contribute to basement flooding as the catchbasins that drain the driveway are at a lower elevation in relation to the road and therefore are susceptible to flooding from even minor surcharging of the storm sewers. Reverse slope driveways are also susceptible to surface flooding in low lying areas. When ponding occurs on the road, stormwater can overtop the curb, flowing down the driveway directly into the garage and basement. Due to the significant effect reverse sloped driveways have on basement flooding, it is recommended that reverse sloped driveways be restricted in order to help alleviate the problem of basement flooding.

The North York Community Council district boundaries include portions of five former municipal zoning bylaws: North York (7625), Toronto (438-86), York (1-83), Township of East York (6752) and Leaside (1916). Each of the Bylaws will be amended only as they pertain to the North York Community Council district boundaries to restrict reverse slope driveways.

CONTACT

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Zoning Bylaw and Environmental Planning
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SIGNATURE

Gary Wright
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

- No. 1 - Bylaw Amendment York
- No. 2 - Bylaw Amendment East York
- No. 3 - Bylaw Amendment Leaside
- No. 4 - Bylaw Amendment North York
- No. 5 - Bylaw Amendment Toronto

[P:\2008\Cluster B\PLN\ny080076]

Authority: Planning and Growth Management Committee Item No.
as adopted by City of Toronto Council on January XX, 2009
Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. -2009

**A By-Law To Establish The Minimum Elevation Of The Entrance To An Area Used
For The Parking Of A Vehicle in association with Certain Residential Buildings.**

WHEREAS City Council wishes to reduce the amount of surface water entering the
Municipal sanitary and storm water drainage systems;

WHEREAS City Council wishes to implement measures to reduce the amount of surface
water that in directed towards a residential building;

WHEREAS authority is given to City Council by Section 34 of the *Planning Act*, R.S.O.
1990, c.P.13, as amended to pass this by-law;

WHEREAS City Council has provided adequate information to the public and has held
at least one public meeting in accordance with the *Planning Act*.

THEREFORE the Council of the City of Toronto **HEREBY ENACTS** as follows:

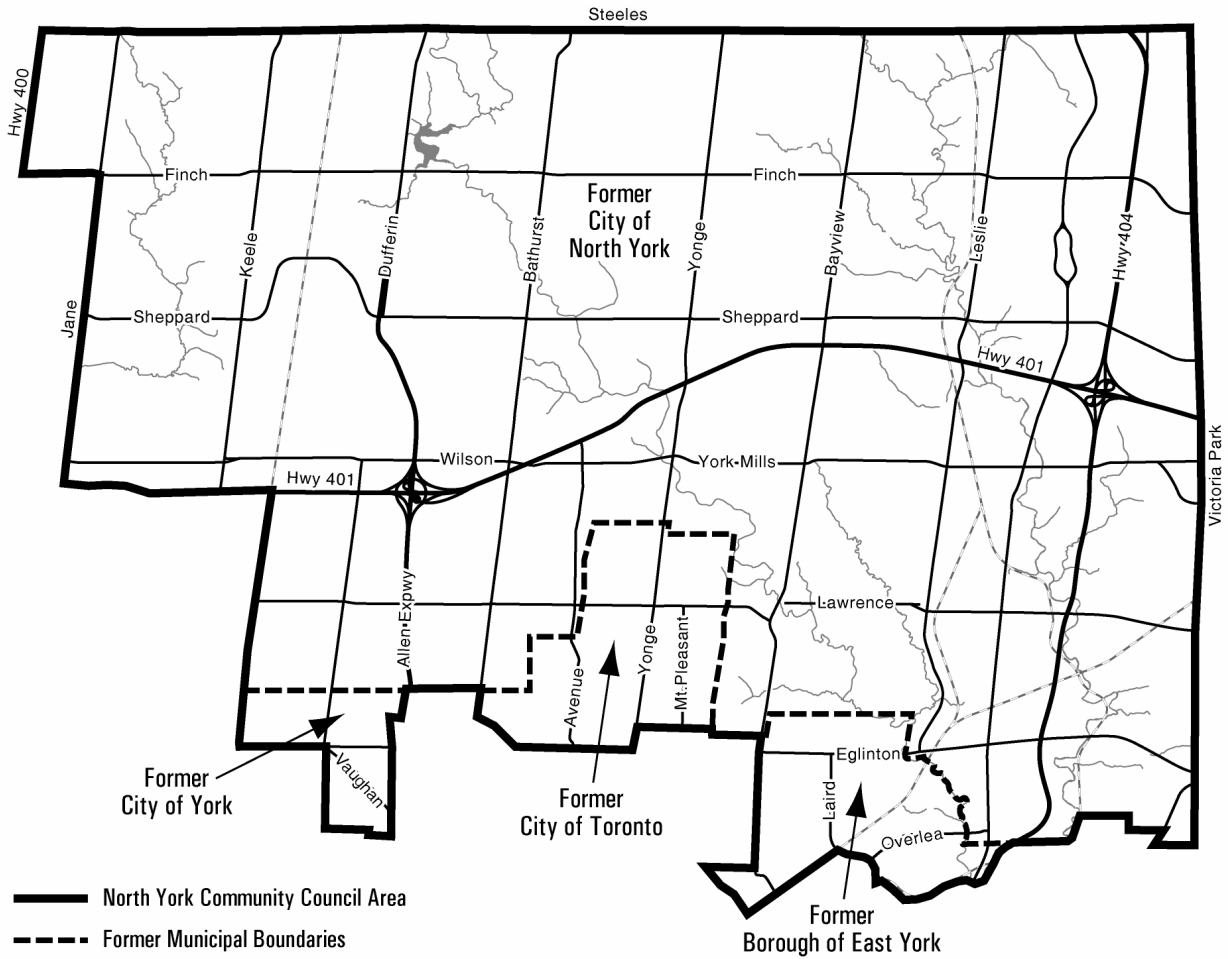
1. Despite any other general or specific provision in zoning by-law **1-83** of the
former City of York, enacted under section 34 of the *Planning Act* or its
predecessor section, the following shall apply to the area depicted in the attached
Schedule 1:
 - (1) for a **DWELLING HOUSE, SEMI-DETACHED HOUSE, DUPLEX
HOUSE, DOUBLE DUPLEX HOUSE, TRIPLEX HOUSE, DOUBLE
TRIPLEX HOUSE, MULTIPLE DWELLING HOUSE, STACKED
STREET TOWNHOUSE, STACKED TOWNHOUSE,
TOWNHOUSE, BOARDING HOUSE OR LODGING HOUSE**, the
elevation of the lowest point of an opening to an area used for parking or
vehicle storage located inside or adjacent to the dwelling shall be:
 - (A) higher than the elevation of the street, arterial road or minor
arterial road, the lot abuts measured at its centerline directly across
from the driveway leading to the parking space; and
 - (B) higher than a the elevation of a lane that the lot abuts measured at
its centerline directly across from the driveway leading to the
parking space.

ENACTED AND PASSED this day of February, A.D. 2009.

Mayor

City Clerk

Schedule 1



Authority: Planning and Growth Management Committee Item No.
as adopted by City of Toronto Council on January XX, 2009
Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. -2009

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WHEREAS City Council wishes to reduce the amount of surface water entering the Municipal sanitary and storm water drainage systems;

WHEREAS City Council wishes to implement measures to reduce the amount of surface water that in directed towards a residential building;

WHEREAS authority is given to City Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended to pass this by-law;

WHEREAS City Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*.

THEREFORE the Council of the City of Toronto **HEREBY ENACTS** as follows:

1. Despite any other general or specific provision in zoning by-law **6725** of the former Township of East York, enacted under section 34 of the *Planning Act* or its predecessor section, the following shall apply to the area depicted in the attached Schedule 1:

:

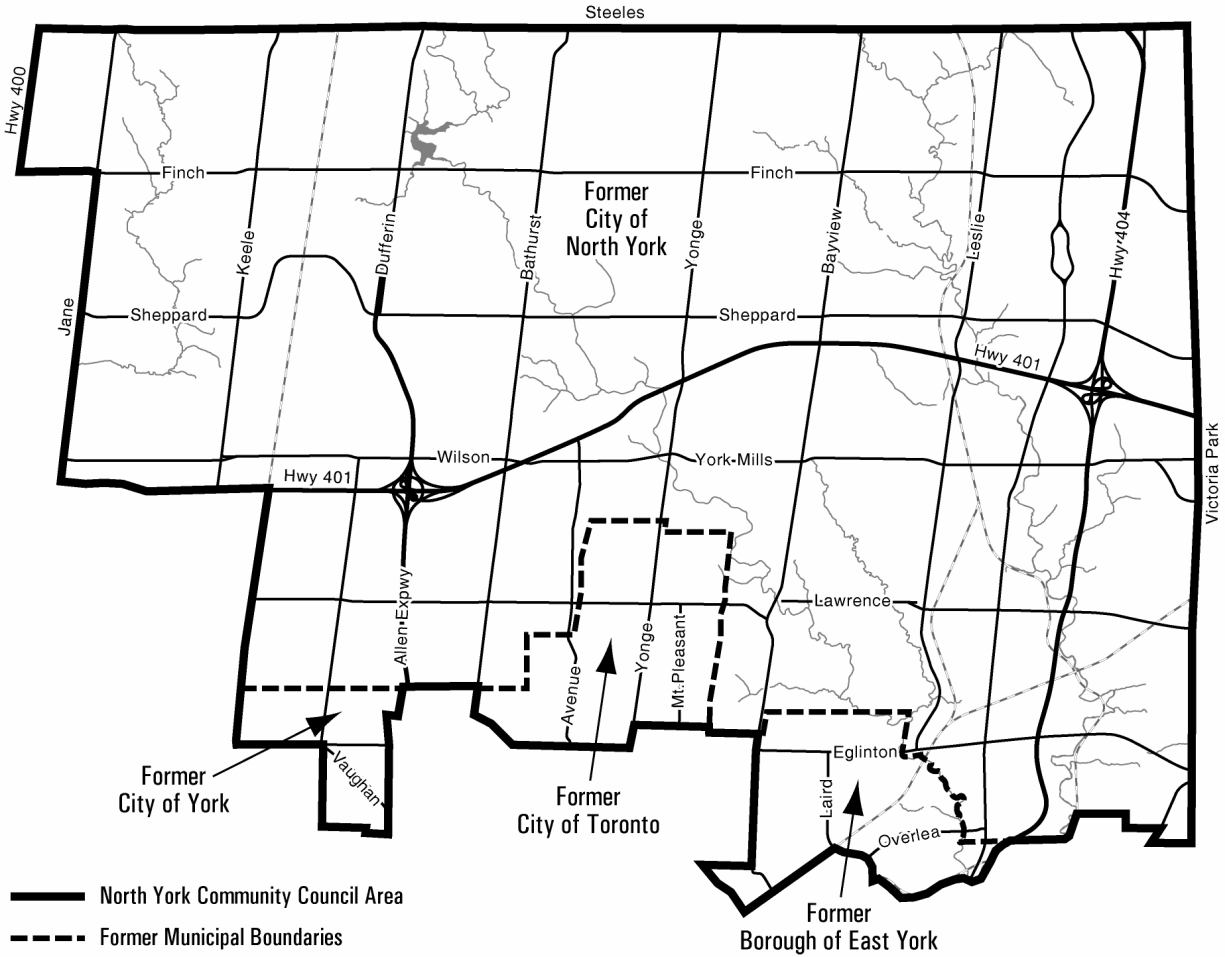
- (1) for a **ONE-FAMILY DETACHED DWELLING, SEMI-DETACHED DWELLING, DUPLEX DWELLING, DOUBLE DUPLEX DWELLING, TRIPLEX DWELLING, DOUBLE TRIPLEX DWELLING**, the elevation of the lowest point of an opening to an area used for parking or storage of a vehicle located inside or adjacent to the dwelling shall be:
 - (A) higher than the elevation of the street the lot abuts measured at its centerline directly across from the driveway leading to the parking space; and
 - (B) higher than a the elevation of a public lane that the lot abuts measured at its centerline directly across from the driveway leading to the parking space.

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WHEREAS City Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*.

THEREFORE the Council of the City of Toronto **HEREBY ENACTS** as follows:

1. Despite any other general or specific provision in zoning by-law **1916** of the former Town of Leaside, enacted under section 34 of the *Planning Act* or its predecessor section the following shall apply to the area depicted in the attached Schedule 1:

,

- (1) for a **ONE-FAMILY DETACHED DWELLING, SEMI-DETACHED DWELLING, DUPLEX DWELLING, DOUBLE DUPLEX DWELLING, TRIPLEX DWELLING, MULTIPLE ATTACHED DWELLING, COACHOUSE DWELLING, CONVERTED DWELLING**, the elevation of the lowest point of an opening to an area used for parking or storage of a vehicle located inside or adjacent to the dwelling shall be:

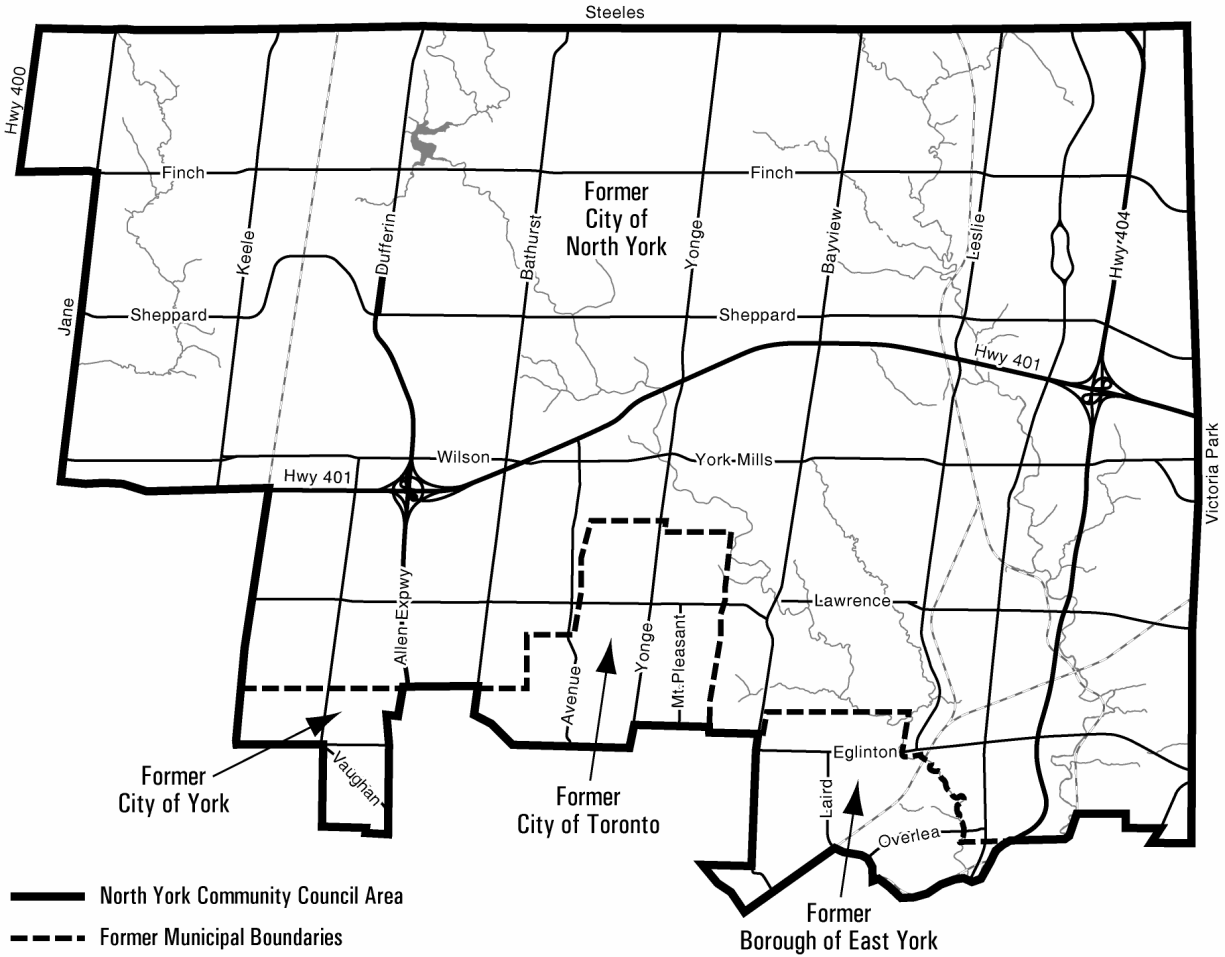
- (A) higher than the elevation of the street the lot abuts measured at its centerline directly across from the driveway leading to the parking space; and
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1990, c.P.13, as amended to pass this by-law;

WHEREAS City Council has provided adequate information to the public and has held
at least one public meeting in accordance with the *Planning Act*.

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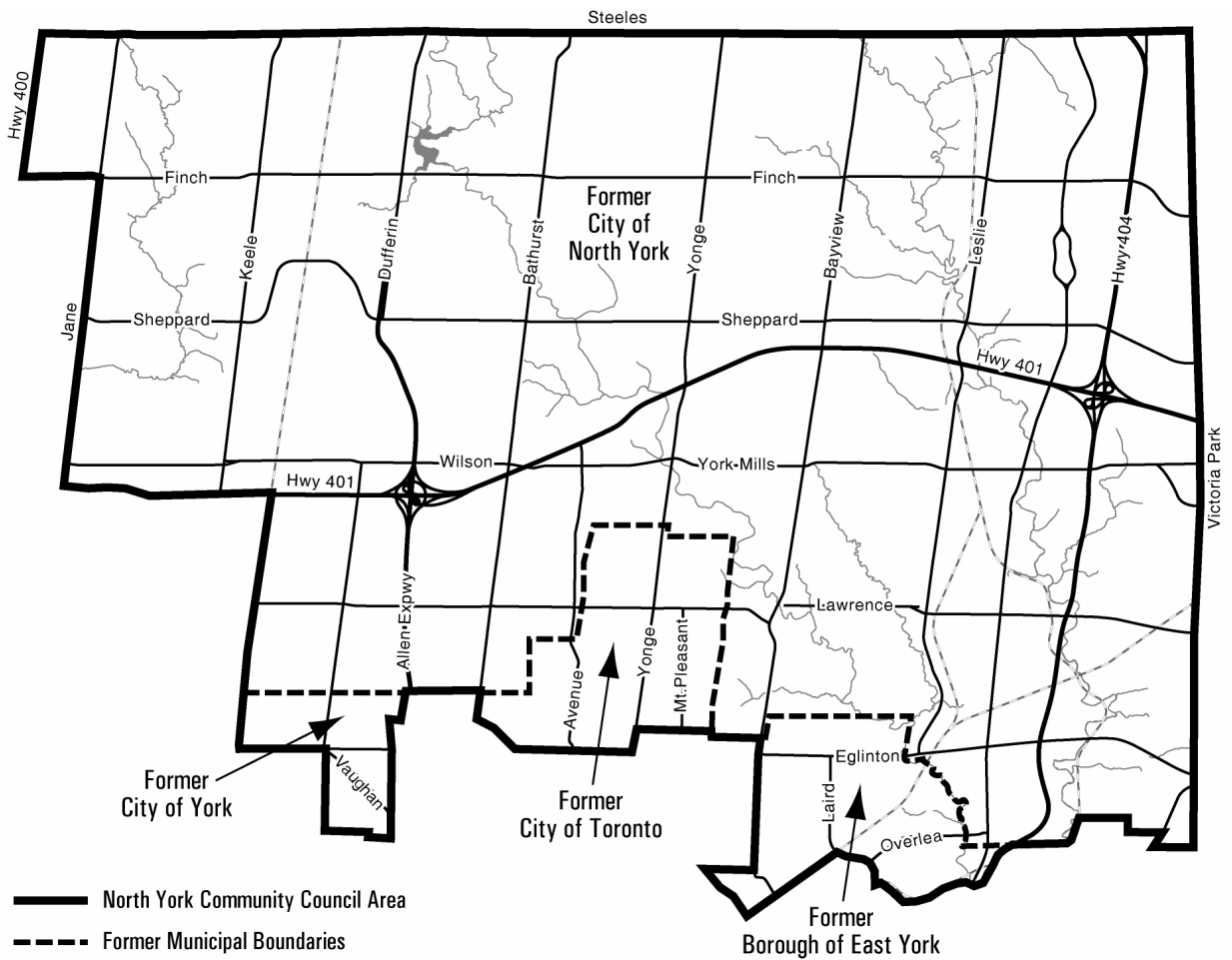
1. Despite any other general or specific provision in zoning by-law 7625 of the
former City of North York, enacted under section 34 of the *Planning Act* or its
predecessor section the following shall apply to the area depicted in the attached
Schedule 1:
,
 - (1) for a **ONE FAMILY DEATCHED DWELLING, SEMI-DETACHED
DWELLING, DUPLEX DWELLING, DOUBLE DUPLEX
DWELLING, TRIPLEX DWELLING, MULTIPLE ATTACHED
DWELLING, BOARDING OR LODGING HOUSE, CONVERTED
DWELLING**, the elevation of the lowest point of an opening to an area
used for parking or vehicle storage located inside or adjacent to the
dwelling shall be:
 - (A) higher than the elevation of the street, arterial road or minor
arterial road, the lot abuts measured at its centerline, directly across
from the driveway leading to the parking space; and
 - (B) higher than a the elevation of a public lane that the lot abuts
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at least one public meeting in accordance with the *Planning Act*.

THEREFORE the Council of the City of Toronto **HEREBY ENACTS** as follows:

1. Despite any other general or specific provision in zoning by-law **438-86** of the
former City of Toronto, enacted under section 34 of the *Planning Act* or its
predecessor section, the following shall apply to the area depicted in the attached
Schedule 1:
 - (1) for a **DETACHED HOUSE, DUPLEX, ROW HOUSE, ROOMING
HOUSE, ROWPLEX, SEMI-DETACHED HOUSE, SEMI-
DETACHED DUPLEX, TRIPLEX HOUSE, SEMI DETACHED
TRIPLEX HOUSE**, the elevation of the lowest point of an opening to an
area used for parking or vehicle storage located inside or adjacent to the
dwelling shall be higher than the elevation of the street the lot abuts
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